

**CALENDAR ITEM
C28**

A 1
S 1

10/16/15
PRC 7954.1
B. Terry

AMENDMENT OF LEASE AND REVISION OF RENT

LESSEE:

Red Wolf Lakeside Lodge L.P., a California Limited Partnership
P.O. Box 384
Tahoe Vista, CA 96148

Tahoya Shores Condominium Association
P.O. Box 11
Tahoe Vista, CA 96148

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Lake Tahoe, adjacent to 7630 and 7610 Lakeside Boulevard,
Tahoe Vista, Placer County.

AUTHORIZED USE:

Continued use and maintenance of an existing joint-use pier, a rock jetty and a
portion of a second jetty adjacent to the east side of Assessor's Parcel Number
117-140-008, and four mooring buoys.

LEASE TERM:

10 years, beginning April 1, 2011.

CONSIDERATION:

This lease provides that Lessor may modify the rent periodically during the lease
term. Pursuant to this provision, staff has conducted a review of the rent under
this lease and recommends that rent be revised from \$3,579 per year to \$3,271
per year, effective April 1, 2016.

PROPOSED AMENDMENT:

Amend the lease to replace the existing Section 3, Land Description, with the
attached Exhibit A, Land Description, and replace Exhibit A, Site and Location
Map, with the attached Exhibit B, Site and Location Map (for reference purposes
only). All other terms and conditions of the lease shall remain in effect without
amendment.

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OTHER PERTINENT INFORMATION:

1. Lessee owns the uplands adjoining the lease premises.
2. On October 27, 2011, the Commission authorized a General Lease – Recreational and Protective Structure Use with Red Wolf Lakeside Lodge, a California Limited Partnership and Tahoya Shores Condominium Association, for a term of 10 years. That lease will expire on March 31, 2021.
3. Staff conducted the rent review called for in the lease. Due to changes in the impact area surrounding the pier, staff recommends the rent be reduced.
4. The staff recommends that the Commission find that the subject approval of lease amendment and revision of rent does not have a potential for resulting in either a direct or a reasonably foreseeable indirect physical change in the environment, and is, therefore, not a project in accordance with the California Environmental Quality Act (CEQA).

Authority: Public Resources Code section 21065 and California Code of Regulations, Title 14, sections 15060, subdivision (c)(3), and 15378.

EXHIBITS:

- A. Land Description
- B. Site and Location Map

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the subject approval of lease amendment and revision of rent is not subject to the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15060, subdivision (c)(3), because the subject activity is not a project as defined by Public Resources Code section 21065 and California Code of Regulations, Title 14, section 15378.

AUTHORIZATION:

1. Authorize the amendment of Lease No. PRC 7954.1, a General Lease – Recreational and Protective Structure Use, effective April 1, 2016, to replace the existing Section 3, Land Description with the attached Exhibit A, Land Description, and replace Exhibit A, Site and Location Map with the attached Exhibit B, Site and Location Map (for reference

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purposes only); all other terms and conditions of the lease will remain in effect without amendment.

2. Approve the revision of rent for Lease No. PRC 7954.1 from \$3,579 per year to \$3,271 per year, effective April 1, 2016.

EXHIBIT A
LAND DESCRIPTION

PRC 7954.1

Five Parcels of submerged lands lying in the bed of Lake Tahoe, adjacent to Section 13, Township 16 North, Range 17 East, M.D.M., as shown on Official Government Township Plat approved on November 10, 1865, County of Placer, State of California, more particularly described as follows:

PARCEL 1

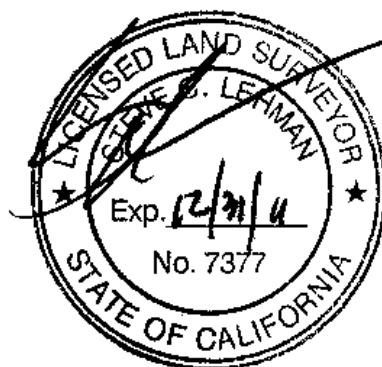
BEGINNING at the intersection of the east boundary of that parcel of land described in Exhibit A of Grant Deed recorded in document number 95-064510, Official Records of said County and the line of the historic Low Water Mark, as depicted on sheet 20 of those maps entitled "Survey of the Low Water Mark on the Shore of Lake Tahoe", filed in Book 2 of Surveys at Page 71, Placer County Records; thence Southerly along the Southerly prolongation of said East line 74.00 feet; thence Westerly and at a right angle from the aforementioned course 127.75 feet to the intersection of the southerly prolongation of a line parallel with and 10 feet westerly, measured at a right angle, of an existing pier; thence northerly along said line 96.28 feet to said line of the historic Low Water Mark; thence Easterly along said line of the historic Low Water Mark to the POINT OF BEGINNING.

PARCELS 2-5

Four circular parcels of land, each 20 feet in diameter, lying directly beneath four existing buoys and adjacent to that parcel of land described in Exhibit A of Grant Deed recorded in document number 95-064510, Official Records of said County .

END OF DESCRIPTION

Prepared 03/02/2011 by the California State Lands Commission Boundary Unit.

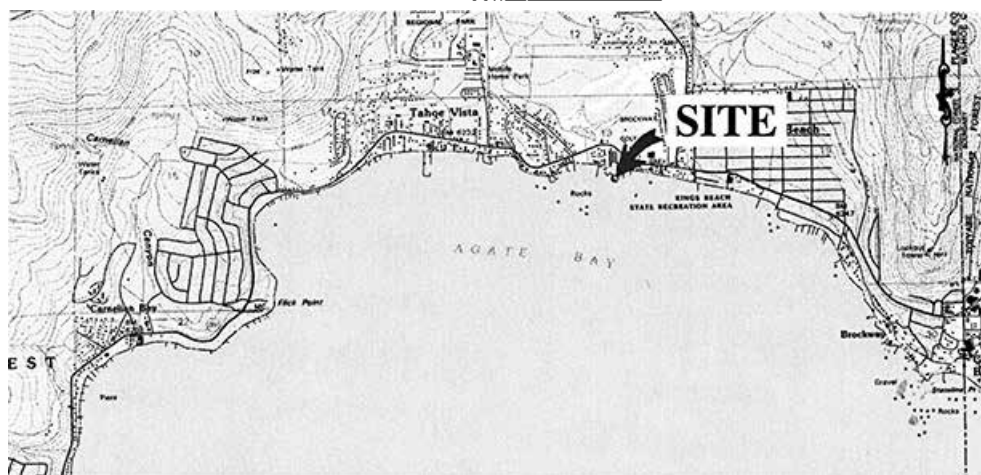


SITE



7630 & 7610 LAKESIDE BLVD., TAHOE VISTA

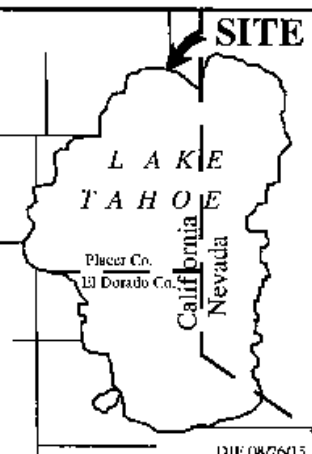
LOCATION



This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

Exhibit B

PRC 7954.1
REDWOLF LAKESIDE LODGE
& TAIHOYA SHORES
APN 117-140-008 & 117-210-082
GENERAL LEASE
RECREATIONAL AND PROTECTIVE
STRUCTURE USE
PLACER COUNTY



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